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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 TOMMY LEE CROW, JR.,

11 Petitioner,

12 v.

13 RON HAYES,

14 Respondent.

CASE NO. 3:16-cv-05277-RJB-JRC

ORDER CONTINUING STAY

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16 Petitioner filed a petition for a writ of habeas corpus challenging his custody under a  
17 stay court judgment and sentence. Dkt. 10.

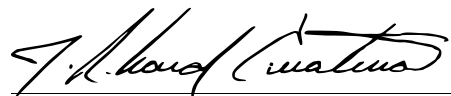
18 Petitioner was resentenced on April 21, 2016, and because the appeal of his new  
19 judgment and sentence was pending in the state courts, petitioner requested that the Court stay  
20 his case. Dkt. 12. The Court granted petitioner's motion, stayed his case until thirty days after the  
21 Washington courts ruled on his appeal, and directed petitioner to file a status report every 90  
22 days. Petitioner has consistently done so. *See* Dkts. 25, 27, 28, 29, 34, 36.  
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1 In petitioner's latest status update, petitioner notes that he filed a personal restraint  
2 petition on August 1, 2018, and is awaiting a response from the state courts. Dkt. 36. He requests  
3 that the Court notify him of receipt of his update. *Id.*

4 Therefore, it is ORDERED:

- 5 1) The Court confirms it has received petitioner's status update.
- 6 2) This matter continues to be stayed until 30 days after the Washington state court has  
7 ruled on petitioner's challenge to his judgment and sentence.
- 8 3) Petitioner shall continue to file a status report every 90 days. Petitioner's report must  
9 include the state court cause number and current status of his state proceedings.  
10 Petitioner's failure to file a proper report may result in the Court issuing a report and  
11 recommendation that his petition be dismissed for failure to comply with a Court  
12 order.
- 13 4) The Court will acknowledge petitioner's status updates and will inform petitioner of  
14 his next deadline.
- 15 5) Within 30 days of the Washington court's ruling on petitioner's challenge to his  
16 judgment and sentence, either party may file a motion to lift the stay.
- 17 6) The clerk is directed to note a due date for petitioner's next status report on this case's  
18 docket 90 days from the entry of this order.

19 Dated this 29th day of August, 2018.

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23 J. Richard Creatura  
24 United States Magistrate Judge